

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VOIP-PAL.COM, INC.,

Plaintiff,

v.

T-MOBILE USA, INC.,

Defendants.

CIVIL ACTION NO. 6:21-CV-674-ADA

JURY TRIAL DEMANDED

STIPULATION

The following are hereby stipulated and agreed by and between the attorneys for parties below:

1. On May 12, 2023, VoIP-Pal narrowed its asserted claims in this case to ten identified claims, including claims 43 and 140 of U.S. Patent No. 10,880,721. VoIP-Pal now further agrees to narrow its asserted claims in this case to eight claims, withdrawing its assertions based on claims 43 and 140 of the '721 patent. These two claims, and arguments relating to any alleged infringement of them, will not be presented at trial.

2. VoIP-Pal withdraws any and all claims of indirect infringement in this case and agrees that it will not present any arguments to the jury or Court that T-Mobile is liable for either contributory or induced infringement for any claim of the patents-in-suit; and

3. To the extent that VoIP-Pal asserts claims for pre-suit willful infringement, VoIP-Pal withdraws any and all claims of pre-suit willful infringement in this case and agrees it will not present any arguments to the jury or Court that T-Mobile is liable for willfully infringing the patents-in-suit before June 25, 2021 or that T-Mobile is liable for enhanced damages based on any alleged infringement of any claim of any asserted patent before June 25, 2021.

Dated: June 1, 2023

Respectfully submitted,

/s/ Lewis E. Hudnell, III (with permission)

/s/ Martin E. Gilmore

Lewis E. Hudnell, III
lewis@hudnelllaw.com
Nicolas S. Gikkas
nick@hudnelllaw.com
Stanley H. Thompson
stan@hudnelllaw.com
Hudnell Law Group P.C.
800 W. El Camino Real Suite 180
Mountain View, California 94040
T: 650.564.3698
F: 347.772.3034

Amanda Tessar
ATessar@perkinscoie.com
Perkins Coie LLP
1900 Sixteenth Street, Suite 1400
Denver, Colorado 80202-5255

Martin E. Gilmore
MGilmore@perkinscoie.com
Perkins Coie LLP
500 W 2nd St 1900
Austin, Texas 78701

Sean Franklin Parmenter
sean@parmenterip.com
Parmenter Intellectual Property Law, PLLC
8980 N Pine Hollow Drive
Cedar Hills, Utah 84062
T: 925.482.6515

Melissa Richards Smith
Texas Bar No. 24001351
melissa@gillamsmithlaw.com
Gillam and Smith, L.L.P.
303 South Washington Avenue
Marshall, TX 75670
(903)934-8450
Fax: (903)934-9257

William M. Parrish
bparrish@stradlinglaw.com
Stradling Yocca Carlson & Rauth
500 W. 2nd Street
Austin, Texas 78703
T: 512.788.5020

**ATTORNEYS FOR DEFENDANT
T-MOBILE USA, INC.**

**ATTORNEYS FOR PLAINTIFF VOIP-
PAL.COM, INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing Stipulation via the Court's CM/ECF system pursuant to the Federal Rules of Civil Procedure on this 1st day of June, 2023.

/s/ Melissa R. Smith